



## *Cochise County Sheriff's Office Statement of Probable Cause*

**March 9<sup>th</sup>, 2019**

**RE: CCSO DR# 19-06658**

**Suspect: Paul Randall Bayes      DOB: 02/09/1959**  
**Victim: Gina Bayes                  DOB: 12/20/1979**

On 03/08/19 at about 1910 hours, The Cochise County Sheriff's Office (CCSO) went to Canyon Vista Medical Center. This was in reference to a report Gina Bays telling staff that her ex-husband (Paul R. Bayes) came to her residence on a child exchange. Paul became physical with Gina and slammed her wrist in the car door and left with the kids.

Upon arrival, Dep. Spezzano met with Gina Bays and her friend, Christi Steiner. He was able to speak with them in the paramedic's lounge by the emergency room entrance. He had a voice recorder activated and recorded the conversation. The following is a summary of what Dep. Spezzano learned from the interview.

Gina had been married to Paul Bays for approximately ten (10) years and had two children with him, G. B. ( 5 years of age) and C. B. (10 years of age). They were divorced in 2016 and have shared custody, a week on and week off, arrangements.

Today, 03/08/19, Paul kept calling and texting her wanting to go out to dinner with him tonight. This week is Paul's custody time with their children. She did not want to go out to dinner with him. Gina told Paul that she had plans to spend the night over at Christi's home. When Gina was leaving her home, Paul drove up to her home blocking the end of her driveway. She then turned around to leave out the other end of her driveway and Paul drove over there stopping in front of her, so she could not leave. He then got out of his truck with their five (5) year-old daughter, Gianna. Gina began to record with her cellphone. She thought Paul came over to drop off their daughter. Paul then walked up to her driver's door with Gianna. She told him while seated in the driver's seat of her car, it was his week with the kids. Her driver's window was down about six (6) to eight (8) inches. When she was

recording, Paul reached "through the door" to grab her cellphone. The phone was then taken and dropped outside of the car. Gina attempted to open the door and Paul "slammed" it onto her arm several times, causing her pain. Gina believes the door might have hit Gianna when Paul was slamming it because she heard Gianna cry out. He then walked back to his pickup with their daughter and drove away.

Gina sent the recording to Christi and called her. She told Christi what had happened and that she thought her arm might be broken. Gina drove herself with one hand on the steering wheel to Christi's home close to the hospital. Christi then drove Gina to the hospital for a medical evaluation.

Gina showed Dep. Spezzano the recording of the incident. Dep. Spezzano saw a dark pickup truck stopped in front of Gina's car a short distance away. A child could be seen on the passenger side of the pickup. Paul then walked up to the driver's side door of Gina's car. It appeared he had on a light blue dress shirt with white sleeve cuffs. Gina is heard saying, "It's your week and she is going with you I already told Christi I was coming over, so take her with you, bye". Paul is heard saying, "You're taking the dogs". Paul is then seen reaching his right hand toward the window opening. It did not appear to Dep. Spezzano that Gina had attempted to open the door at that point. The cellphone video then goes blurry and the cellphone speaker records tussling. A child can be heard crying out. Gina then screams, "stop it, your breaking my arm!"

Dep. Spezzano conducted an interview with Gina. Gina says the following, "she was obviously upset and in pain. She was continually holding her right wrist with an ice pack. She cried when talking about the incident. Gina expressed concern for her safety not knowing what Paul might do to her in the future. She thinks his behavior is escalating. They have had prior physical altercations both reported and not reported law enforcement. On New Year's 2018 while in Anaheim, California, they got into a physical altercation. Paul had put his hands on her throat applying pressure which made it hard for her to breathe. She hit him over the head with a plate. The police showed up and she was subsequently arrested due to his injury. When she went to a hearing 5 days later, the case was dismissed".

Dep. Spezzano spoke with Christi, who said she received the video clip and a phone call from Gina at 6:22 pm on 03/08/19. Gina was upset and crying. She believed her arm might be broken and drove to her home. They both went to the hospital together. Paul does not like Christi and has called her a "bitch" in the past. Christi is concerned for Gina's safety if he is arrested and then released from Jail. Christi thinks Paul is capable of murder.

Gina agreed to release her medical records from her examination at Canyon Vista Medical Center by signing a release form provided by the hospital. She was examined by Emergency Room physician, Doctor Mark Luce.

Doctor Luce examined the x-rays taken of Gina's wrist. It was discovered that Gina had a "comminuted distal radial fracture extending into the radiocarpal joint space. In basic terms, a fracture of the bone across both bones in her arm at the wrist.

At approximately 2010 hours, I was asked to respond to the Sierra Vista area in reference to a Domestic Violence case. I spoke to the responding Deputy J. Spezzano.

Dep. Spezzano told me he was currently at Canyon Vista. Dep. Spezzano briefed me on this incident. He said Gina had a broken wrist and there was also video footage of the incident.

I later arrived at the Cochise County Sheriff's Office, located in Sierra Vista, AZ, where I met with Detective T. Borquez and later Detective E. Jamka. There, we met with Dep. Spezzano and Dep. Gilbert. Dep. Spezzano showed us the video footage of the incident. Dep. Spezzano showed me a copy of Gina's final medical report.

Det. Jamka, Det. Borquez and I reviewed the video numerous times and also viewed the video in slow motion. From viewing the video in slow motion, you can see Paul reaching his hand into the vehicle and take her cell phone.

Det. Borquez and I re-interviewed Gina, her story was consistent with that of what she told Dep. Spezzano. She also told Det. Borquez and I that between the hours of 1600 to 1816, Paul called her eleven (11) times. Gina informed me that Paul had taken a picture of his head showing a laceration with the caption, "You did it again. I'm done trying." and sent it to her.

Det. Borquez and I examined Gina's vehicle. We found a horizontal crack on the wooden decorative molding around the interior door handle. We also found a red substance on the driver's side exterior door handle and pattern marks on the door. It should be noted, that the vehicle was dusty and the marks could be seen on the driver's side door. Gina confirmed that the horizontal crack was not there prior to this incident.

At approximately 0022 hours, Det. Borquez and I conducted an interview with Paul. Paul stated the following.

He said Gina was supposed to meet them for dinner but told them she was tired. Paul said he drove to her house and Gina told him she was leaving. He indicated that Gina met them at the gate. Paul got out of his vehicle and took G. B. over to Gina's vehicle. He said Gina had her cell phone out videotaping and drops the phone. Paul said he reached down to grab it and Gina opens the door and hits him as hard as she could on his head. He said he fell back a little bit and was dazed. Paul and G. B. then left.

Paul was asked for more details on the interaction with Gina. He said she lost contact with her phone and he tried to catch it as it came out the driver side window. Paul said Gina's hand must have been outside the window in order for her phone to fall. After being confronted about the video showing him putting his hand inside the vehicle, he said he didn't remember that. Paul then wanted to know what was on the video. I confronted him about Gina's wrist being broken and he said he didn't know how, unless she opened the door so hard that it broke her wrist. It should be noted, that I observed a band-aid on the left side of Paul's forehead. I asked him to remove the band-aid and I observed a small laceration. Paul was vague about his exact location in relation to the door.

I briefly spoke to C.B. who said he saw the door open but didn't see it hit his dad's head. C.B. indicated his dad had a cut on his head when he returned to the vehicle. C.B. further said he didn't see much as he wasn't paying attention.

Paul was placed under arrest and subsequently transported/ booked into the Cochise County Jail, Sierra Vista, AZ



Detective Jesus Davidson#1119